

Serial No. 10/017,786

REMARKS

This amendment is responsive to the Official Action dated January 23, 2004.

Claims 1-27 and 29-34 were pending in the application. Claims 19, 21, 23, 26, 27 and 29 were rejected. Claims 20, 22, 24 and 25 were objected to. Claims 1-18 and 30-34 were allowed.

By way of this amendment, the Applicant has amended claims 19 and 22-26. Claims 20, 21, 27 and 29 have been canceled.

Accordingly, claims 1-19, 22-26 and 30-34 are currently pending. Favorable reconsideration of all claims is respectfully solicited in view of the Remarks below.

I. Rejections under 35 USC § 112:

Claims 27 and 29 were rejected under 35 USC §112, first paragraph as lacking support within the specification. The Applicant has canceled Claims 27 and 29. Accordingly, this rejection is no longer believed to be applicable. Withdrawal of the rejection and reconsideration of the rejection is respectfully solicited.

II. Rejections under 35 USC §102:

Claims 19, 21, 23 and 26 were rejected under 35 USC §102 as being unpatentable over the US Patent to Flynn. The Examiner has asserted that Figs. 1, 2 and 3Q illustrate a photodetector 20, 30 and capacitor 22, 35A, 42 coupled between the photodetector bias terminal and ground.

The Applicant has amended claim 19 to include the limitations found in allowable dependent claim 20. Accordingly this claim as amended is believed to be in allowable over the prior art of record. Further, claim 21 has been canceled and claims 23 and 26 are dependant on now allowable base claim 19. In view of the amendments made, favorable reconsideration of the rejected claims is respectfully solicited.

III. Objections to Claims:

The Examiner objected to claims 20, 22, 24 and 24 as being allowable but for their dependency on a rejected base claim 19. The Applicant has amended claim 19 to include the limitations of allowable claim 20 thereby placing claim 19 in condition for allowance. Further, claims 22, 24 and 25 are dependant on now allowable claim 19. Withdrawal of this objection is requested.

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IV. Allowable claims:

Claims 1-18 and 30-34 were determined to be allowable over the prior art of record.

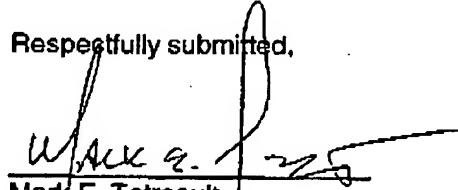
V. CONCLUSION

Accordingly, claims 1-19, 22-26 and 30-34 are believed to be in condition for allowance and the application ready for issue.

Corresponding action is respectfully solicited.

PTO is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our account #02-0900.

Respectfully submitted,


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